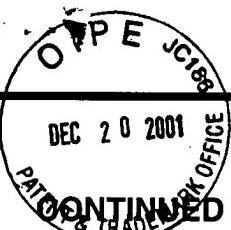


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CPA/16558



12-2601

DEC 20 2001

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

TECH CENTER 1600/2000	Application Number <u>09/417,268</u>
Confirmation Number	<u>7235</u>
Filing Date	<u>October 13, 1999</u>
First Named Inventor	<u>Alex Chenchik</u>
Examiner	<u>Betty J. Forman</u>
Group Art	<u>1655</u>
Attorney Docket Number	<u>CLON008</u>
Express Mail Label No.	<u>EL900300089US</u>

Address to:

**Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231**

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/417,268 filed on 10-13-1999  
entitled NUCLEIC ACID ARRAYS

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on 10-29-2001  
under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed: 12/27/2001 GTEFFERA 00000091 500815 09417268
  - a.  PTO-1449 01 FC:131 740.00 CH
  - b.  Copies of IDS Citations 02 FC:103 342.00 CH  
03 FC:102 04.00 CH  
04 FC:116 400.00 CH
6.  The Fee for this Application is as Follows:

CLAIMS	FOR	(1) # FILED	(2)	(3) # EXTRA	(4) RATE	(5) FEE

TOTAL CLAIMS (37 CFR 1.16(a) or INDEPENDENT CLAIMS (37 CFR 1.16(c) or (i))	39	20 *	19	x 18.00	\$ 342.00
	4	3 **	1	x 84.00	\$ 84.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))					+ _____
					BASIC FEE (37 CFR 1.16) \$ 740.00
					Total of above Calculations= \$ 1,166.00
REQUEST FOR ( 2 ) MONTH(S) EXTENSION OF TIME					\$400.00
* Reissue claims in excess of 20 and over original patent.					
** Reissue independent claims over original patent.					TOTAL= \$ 1,566.00

7.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
8. **The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this sheet is enclosed.**
9.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(l) is enclosed.
10.  New Attorney Docket Number, if desired \_\_\_\_\_
11. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
12.  Other:

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below

**12. NEW CORRESPONDENCE ADDRESS**



Customer Number or Bar Code  
Label

24353

or



New correspondence address below

Name	Bozicevic, Field & Francis LLP			
Address	200 Middlefield Road, Suite 200			
City	Menlo Park	State	California	Zip Code
Country	U.S.	Telephone - Direct Dial	650-833-7770	Fax 650-327-3231

**13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Bret E. Field
Signature	
Registration No. (Attorney/Agent)	37,620
Date	12-20-2001